

# County Attorney

## MISSION STATEMENT

The mission of the Office of the County Attorney is to act as the chief legal officer of Montgomery County government and to conduct all its legal business.

## BUDGET OVERVIEW

The total recommended FY07 Operating Budget for the Office of the County Attorney is \$5,174,610, an increase of \$298,410 or 6.1 percent from the FY06 Approved Budget of \$4,876,200. Personnel Costs comprise 89.5 percent of the budget for 67 full-time positions and seven part-time positions for 44.0 workyears. Operating Expenses account for the remaining 10.5 percent of the FY07 budget.

Not included in the above recommendation is a total of \$2,960,900 and 26.5 workyears that are charged to: Board of Appeals, General Fund (\$71,310, 0.5 WY); Cable Television (\$76,220, 0.5 WY); Finance, General Fund (\$143,790, 1.0 WY); Finance, Self Insurance Internal Service Fund (\$1,965,390, 18.0 WYs); Health and Human Services, General Fund (\$170,590, 2.2 WYs); Landlord-Tenant Affairs (\$65,410, 0.5 WY); Montgomery Housing Initiative (\$102,250, 0.7 WY); Human Resources, Employee Health Benefit Self Insurance Fund (\$26,420, 0.2 WY); Human Resources, Employee Retirement System (\$19,720, 0.2 WY); Human Resources, Retirement Savings Plan (\$6,570, 0.1 WY); Intergovernmental Relations, General Fund (\$21,450, 0.3 WY); Bethesda Parking District (\$20,260, 0.1 WY); Silver Spring Parking District (\$20,260, 0.2 WY); Permitting Services (\$129,990, 1.0 WY); Solid Waste Collection (\$30,320, 0.3 WY); and Solid Waste Disposal (\$90,950, 0.7 WY). The funding and workyears for these items are included in the receiving departments' budgets.

## HIGHLIGHTS

- ❖ **Additional funding is provided to handle increases in child welfare cases.**
- ❖ **The Office is reorganized into six teams to improve supervision and enable participation in pay-for-performance.**

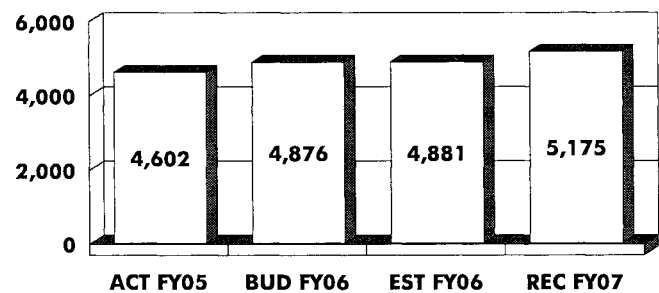
## PROGRAM CONTACTS

Contact Dennis Via of the Office of the County Attorney at 240.777.6715 or Phil Weeda of the Office of Management and Budget at 240.777.2784 for more information regarding this department's operating budget.

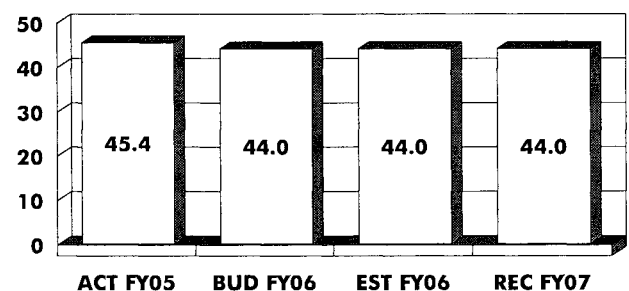
## Program Summary

	Expenditures	WYs
Litigation Services	133,890	0.0
General Counsel	2,422,760	18.0
Special Projects	1,585,850	16.3
Support Services	371,790	6.7
Administration	660,320	3.0
Totals	5,174,610	44.0

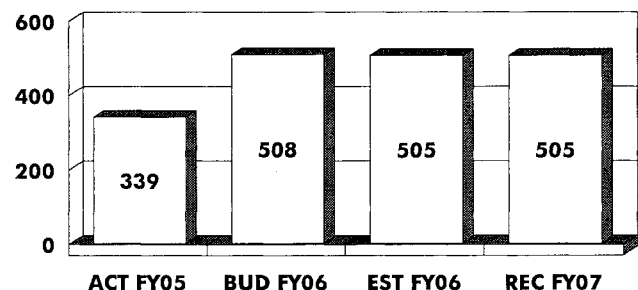
## Trends



EXPENDITURES [\$000s]



WORKYEARS



RELATED REVENUES [\$000s]

## PROGRAM DESCRIPTIONS

### Litigation Services

The Litigation Services program prosecutes or defends all contested cases involving Montgomery County government and the Montgomery County Self Insurance Fund before County, State, and Federal administrative or quasi-judicial agencies and trial courts.

#### FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	105,530	0.0
FY07 CE Recommended	133,890	0.0

### General Counsel

The General Counsel program provides legal advice and policy direction to all County departments as required by the County Charter. The County Attorney and staff act as counsel and give legal advice to the County Executive, the County Council, and County departments, agencies, boards, and commissions. The program drafts and reviews agreements, legislation, executive regulations, administrative procedures, and other legal documents. The County Attorney and staff testify before public bodies, conduct negotiations, and issue legal opinions.

The Preventive Law and Education portion of the program conducts preventive law programs for County agencies and advises agencies concerning standards imposed or changed by applicable County, State, or Federal laws, regulations, or court decisions. This program also responds to citizen and media inquiries concerning local laws and current legal issues involving Montgomery County. The program provides contract drafting seminars for all contract administrators in the County, witness seminars for employees giving testimony in civil cases, and police use of force instruction among the educational programs offered.

#### FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	2,269,640	15.8
FY07 CE Recommended	2,422,760	18.0

### Special Projects

The Special Projects program provides representation in all appellate cases, child protective services, code publication, and debt collection. The Appellate Advocacy unit reviews, briefs, and argues all cases on appeal. The Debt Collection unit is responsible for the collection of all monies owed to Montgomery County that were referred to the County Attorney, including past due personal property taxes, code enforcement judgments, subrogation claims, bounced checks, unpaid fines, and other miscellaneous amounts billed by the County but not received. This program is supported by a small percentage of the funds collected.

The Protective Service component of the program is responsible for providing legal counsel and representation to the Department of Health and Human Services, including guardianship for the disabled, elderly, the Children in Need of

Assistance program (CINA), and termination of parental rights cases.

The Code Publishing component of the program is responsible for publishing the Montgomery County Code and other appropriate legal documents. This program is supported by revenue generated from the sale of the code.

#### FY07 Recommended Changes

- ☐ Additional funding is provided to handle increases in child welfare cases.
- ☐ Funding is provided to implement a software upgrade to improve the debt collection and payment process.

	Expenditures	WYs
FY06 Approved	1,360,210	14.5
FY07 CE Recommended	1,585,850	16.3

### Support Services

The Support Services program is established to provide administrative, research, and technical guidance and support to the other programs within the Department. The program is designed to allow for an equitable distribution of work assignments, to cross-train staff, and to evaluate fairly the performance of the program staff. The program provides administrative support to the Risk Management Fund, Revenue Authority, and Solid Waste Fund.

#### FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	310,220	5.7
FY07 CE Recommended	371,790	6.7

### Administration

The Administration program provides internal personnel, financial, and operational management for the Office of the County Attorney.

#### FY07 Recommended Changes

	Expenditures	WYs
FY06 Approved	830,600	8.0
FY07 CE Recommended	660,320	3.0

## BUDGET SUMMARY

	Actual FY05	Budget FY06	Estimated FY06	Recommended FY07	% Chg Bud/Rec
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	3,180,692	3,467,770	3,472,630	3,650,790	5.3%
Employee Benefits	841,608	925,050	925,050	981,680	6.1%
<b>County General Fund Personnel Costs</b>	<b>4,022,300</b>	<b>4,392,820</b>	<b>4,397,680</b>	<b>4,632,470</b>	<b>5.5%</b>
Operating Expenses	574,324	483,380	483,380	542,140	12.2%
Capital Outlay	5,500	0	0	0	—
<b>County General Fund Expenditures</b>	<b>4,602,124</b>	<b>4,876,200</b>	<b>4,881,060</b>	<b>5,174,610</b>	<b>6.1%</b>
<b>PERSONNEL</b>					
Full-Time	63	66	66	67	1.5%
Part-Time	7	7	7	7	—
Workyears	45.4	44.0	44.0	44.0	—
<b>REVENUES</b>					
Child Welfare FFP Federal Reimbursement	251,886	338,960	338,960	338,960	—
Revenue Authority Reimb. for Legal Services	0	74,050	74,050	74,050	—
County Code CD-Rom	0	15,000	12,000	12,000	-20.0%
County Attorney Collection Fee	16,257	0	0	0	—
County Code Subscription Fee	70,957	80,000	80,000	80,000	—
<b>County General Fund Revenues</b>	<b>339,100</b>	<b>508,010</b>	<b>505,010</b>	<b>505,010</b>	<b>-0.6%</b>

## FY07 RECOMMENDED CHANGES

	Expenditures	WYs
<b>COUNTY GENERAL FUND</b>		
<b>FY06 ORIGINAL APPROPRIATION</b>	<b>4,876,200</b>	<b>44.0</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: FY07 Compensation	306,470	0.0
Increase Cost: Annualization of FY06 Personnel Costs	85,840	0.3
Increase Cost: IT - Debt Collection Software [Special Projects]	54,270	0.0
Increase Cost: Child In Need of Assistance and Termination of Parental Rights Contractual Attorney Expenses [Special Projects]	50,000	0.0
Increase Cost: Reorganization Into Six Teams (six Manager II positions offset by abolishment of one Manager I and five Senior Assistant County Attorneys)	29,100	0.0
Increase Cost: Group Insurance Adjustment	19,400	0.0
Increase Cost: Operating Expenses to Correct Structural Deficits	10,940	0.0
Increase Cost: Retirement Adjustment	10,700	0.0
Increase Cost: Database Maintenance	4,500	0.0
Increase Cost: Records Management	1,450	0.0
Decrease Cost: Elimination of One-Time Items Approved in FY06	-62,400	0.0
Decrease Cost: Increase Charges to Other Departments	-211,860	-0.3
<b>FY07 RECOMMENDED:</b>	<b>5,174,610</b>	<b>44.0</b>

## FUTURE FISCAL IMPACTS

Title	CE REC.			(S000's)		
	FY07	FY08	FY09	FY10	FY11	FY12
This table is intended to present significant future fiscal impacts of the department's programs.						
<b>COUNTY GENERAL FUND</b>						
<b>Expenditures</b>						
<b>FY07 Recommended</b>	<b>5,175</b>	<b>5,175</b>	<b>5,175</b>	<b>5,175</b>	<b>5,175</b>	<b>5,175</b>
No inflation or compensation change is included in outyear projections.						
<b>Elimination of One-Time Items Recommended in FY07</b>	<b>0</b>	<b>-54</b>	<b>-54</b>	<b>-54</b>	<b>-54</b>	<b>-54</b>
Items recommended for one-time funding in FY07, including debt collection software, will be eliminated from the base in the outyears.						
<b>Labor Contracts</b>	<b>0</b>	<b>136</b>	<b>136</b>	<b>136</b>	<b>136</b>	<b>136</b>
These figures represent the annualization of FY07 increments, general wage adjustments, and associated benefits.						
<b>Labor Contracts - SIF Charges</b>	<b>0</b>	<b>-51</b>	<b>-51</b>	<b>-51</b>	<b>-51</b>	<b>-51</b>
These figures represent the annualization of FY07 increments, general wage adjustments, and associated benefits.						
<b>Subtotal Expenditures</b>	<b>5,175</b>	<b>5,206</b>	<b>5,206</b>	<b>5,206</b>	<b>5,206</b>	<b>5,206</b>